

1 MINUTES

2 KANSAS BOARD OF VETERINARY EXAMINERS

3 Sunday, June 5, 2011 at the Kansas State University Union in Manhattan
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5 This meeting of the Kansas Board of Veterinary Examiners was called to order at 9:35am by Board
6 President, Dr. Mark Olson. Board Members in attendance were Drs. Vern Otte, Richard Barta, Greg
7 Bogue, Mary Sue Painter, Verle Carlson, and Mr. Jim Correll. Also present were agency staff Dr. Dirk
8 Hanson, Ms. Cheryl Mermis, and Mr. Larry O'Hara. Board General Counsel Ms. Athena Andaya and
9 Board Litigation Counsel Ms. Laurie Kahrs were also present. Also present representing the Kansas
10 Veterinary Technician Association were Ms. Amber Nuttycomb, Ms. Vicky Ograin, and Ms. Mary Berg.

11 After review of the proposed agenda for this meeting, Dr. Barta moved to adopt the meeting agenda as
12 proposed. Dr. Otte seconded the motion. This motion passed on a voice vote with no dissenting votes.

13 At 9:40 Dr. Bogue moved the Board recess into executive session for a period of ten minutes to discuss
14 personnel matters with the meeting then to reconvene in this same room. The motion was seconded by
15 Dr. Painter. The motion passed on a voice vote with no dissenting votes. The Board recessed into
16 executive session.

17 At 9:50 President Olson called the meeting back to order.

18 Dr. Bogue then moved to approve the minutes from the February 2011 Board meeting with a notation
19 added that the new program at Independence mentioned in the minutes is referred to as the Veterinary
20 Technology Program. Dr. Barta seconded this motion. This motion passed on a voice vote with no
21 dissenting votes, at which time the minutes were signed by Board President Olson.

22 Board members next reviewed reports of on-going complaint case status and recently completed cases.
23 The Board directed staff to bring a proposal to the next meeting for sending these types of completed
24 case summaries to licensees periodically.

25 The Board reviewed recently received feedback from a complainant following the case completion. The
26 Board directed staff to send a communication to this complainant responsive to the feedback provided.

27 Ms. Mermis gave the Board current statistics regarding license and technician renewals to date.

28 Next, the Board considered possible practice act statute changes.

29 A motion by Mr. Correll, seconded by Dr. Barta to amend KSA 47-842 to read \$5,000 fine for "each"
30 violation passed on a voice vote with no dissenting votes (see attachment marked page 7).

31 A motion by Mr. Correll, seconded by Dr. Barta to amend KSA 47-821(a)(14) to add to the powers of the
32 Board relative to registration of registered veterinary technicians passed on a voice vote with no
33 dissenting votes (see attachment marked page 8).

34 A motion by Dr. Otte, seconded by Dr. Barta to have staff and agency counsel work on language that
35 would amend KSA47-821(a)(2) by adding a provision to audit the records and standards of practice of
36 any veterinarian practicing in the state passed on a voice vote with no dissenting votes.

37 After a discussion about fees associated with such audits and the enforcement of such fees, Board
38 President Olson directed staff and counsel to work with a board member to bring proposed language to
39 the next meeting.

40 A motion by Dr. Otte, seconded by Dr. Painter to amend KSA 47-830(e) by adding "or entering diversion
41 in lieu of conviction" passed on a voice vote with no dissenting votes.

42 After considering present language in KSA 47-816(i), the consensus of the Board was to leave the
43 present language unchanged.

44 The board next considered changes to current regulations.

45 A motion by Dr. Painter, seconded by Dr. Bogue to amend KAR 70-3-5 regarding exam retake limitations
46 passed on a voice vote with no dissenting votes (see attachment marked page 12).

47 A motion by Dr. Otte, seconded by Dr. Painter to amend KAR 70-3-6 to require license applicants to take
48 exam(s) to demonstrate English language proficiency passed on a voice vote with no dissenting votes
49 (see attachment marked page 14).

50 After considering present language in KAR 70-4-8, the Board directed staff and counsel to work on
51 wording incorporating counsel's recommendation on the present "recognized & approved colleges"
52 language .

53 A public forum for non-agenda items was offered. The representatives of the Kansas Veterinary
54 Technician Association expressed to the Board the Association's desire to have continuing education be
55 a requirement for veterinary technician registration renewal, and to add one member to the Board who
56 would be a registered veterinary technician.

57 A motion by Dr. Otte, seconded by Dr. Carlson to amend regulation KAR 70-4-8(c) to add the Program
58 for Assessment of Veterinary Education (PAVE) as an additional option for meeting the educational
59 requirement for a veterinary licensure applicant passed on a voice vote with no dissenting votes.

60 A motion by Mr. Correll, seconded by Dr. Bogue to add new regulations KAR 70-4-11 and 70-4-12
61 regarding registered veterinary technician applications and renewals, and to adding a 10 hour
62 continuing education requirement for renewal passed on a voice vote with no dissenting votes (see
63 attachments marked page 25 and 26).

64 The Board considered KSA 47-816(c) and KAR 70-7-1(m)(2) both of which provide a definition of
65 "companion animal". Dr. Carlson recommended the Board consider changing the language to define
66 "livestock", and then eliminate the definition of "companion animal" and replace it with use of the term

67 "non-livestock" animal. The Board directed staff and counsel to bring proposed language to accomplish
68 such to the next meeting.

69 A motion by Dr. Carlson, seconded by Dr. Painter to add 'administered or' to KAR 70-7-1(j) regarding
70 controlled drugs passed on a voice vote with no dissenting votes.

71 The Board considered adding a regulatory requirement that one veterinarian shall be responsible
72 throughout a case in multi-DVM practices for the care and the communication of the patient to the
73 client. The Board directed staff and counsel to bring proposed language to the next meeting to add this
74 language to the regulations, possibly by adding such language to existing regulation KAR 70-7-1(f).

75 Ms. Kahrs next briefed the board regarding the association's proposed legislation changes to the
76 confidentiality statute KSA 47-839.

77 Board members then reviewed dates for upcoming meetings. The next meeting of the Board will be on
78 August 26, 2011 in Wamego. Following that, dates for other meetings will be Friday October 7 and
79 Friday December 9 in Wamego, and Wednesday Feb 1 in Topeka.

80 Having no other business to discuss at this time, Dr. Bogue moved to adjourn this meeting. Dr. Painter
81 seconded this motion. This motion passed on a voice vote with no dissenting votes. This meeting was
82 adjourned at 1:00 pm.

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Signed: 